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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE WESTERN DISTRICT OF WASHINGTON**
10 **AT TACOMA**

11 **UNITED STATES OF AMERICA,**

12 **Plaintiff(s),**

13 **v.**

14 **SUPER VAPE'Z, LLC., a corporation,**
15 **and MARCO HOFFMAN, HEYDEE**
16 **HOFFMAN, and JUDITH CRAMER,**

17 **Defendant(s)**

Case No. 3:22-cv-05789-BHS

ANSWER AND AFFIRMATIVE
DEFENSES

Jury Trial: ☒ Yes [] No

18 **THE DEFENDANTS, SUPER VAPE'Z, LLC., a corporation, and MARCO**
19 **HOFFMAN and HEYDEE HOFFMAN'S, ANSWER TO THE COMPLAINT**

20 **COMES NOW, Defendants, Super Vape'z, LLC., a corporation, and MARCO**
21 **HOFFMAN and HEYDEE HOFFMAN** (hereinafter "Defendants Super Vape'z) by
22 and through their attorney of record, Pierre E. Acebedo, Acebedo & Johnson, LLC.
23 and answers Plaintiff's Complaint as follows:

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- 26 1. Defendants Super Vape'z are without sufficient information to admit or deny the
- 27 allegations contained in this paragraph and therefore deny the same.
- 28 2. Deny. Marco Hoffman and Heydee Hoffman should not be included in this
- 29 lawsuit personally.

1 3. Defendants Super Vape'z are without sufficient information to admit or deny the
2 allegations contained in this paragraph and therefore deny the same.

3 4. Admit.

4 5. Admit.

5 6. Defendants Super Vape'z are without sufficient information to admit or deny the
6 allegations contained in this paragraph and therefore deny the same.

7 7. Defendants Super Vape'z are without sufficient information to admit or deny the
8 allegations contained in this paragraph and therefore deny the same.

9 8. Defendants Super Vape'z are without sufficient information to admit or deny the
10 allegations contained in this paragraph and therefore deny the same.

11 9. Defendants Super Vape'z are without sufficient information to admit or deny the
12 allegations contained in this paragraph and therefore deny the same.

13 10. Defendants Super Vape'z are without sufficient information to admit or deny the
14 allegations contained in this paragraph and therefore deny the same.

15 11. No legal response is required for this paragraph. To the extent an answer is
16 required, the allegations are denied

17 12. No legal response is required for this paragraph. To the extent an answer is
18 required, the allegations are denied

19 13. No legal response is required for this paragraph. To the extent an answer is
20 required, the allegations are denied

21 14. No legal response is required for this paragraph. To the extent an answer is
22 required, the allegations are denied.

1 15. No legal response is required for this paragraph. To the extent an answer is
2 required, the allegations are denied

3 16. No legal response is required for this paragraph. To the extent an answer is
4 required, the allegations are denied.
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6 17. No legal response is required for this paragraph. To the extent an answer is
7 required, the allegations are denied.
8

9 18. No legal response is required for this paragraph. To the extent an answer is
10 required, the allegations are denied

11 19. Defendants Super Vape'z are without sufficient information to admit or deny the
12 allegations contained in this paragraph and therefore deny the same.
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14 20. Defendants Super Vape'z are without sufficient information to admit or deny the
15 allegations contained in this paragraph and therefore deny the same.
16

17 21. Defendants Super Vape'z are without sufficient information to admit or deny the
18 allegations contained in this paragraph and therefore deny the same.
19

20 22. Deny.

21 23. Defendants Super Vape'z are without sufficient information to admit or deny the
22 allegations contained in this paragraph and therefore deny the same.
23

24 24. Defendants Super Vape'z are without sufficient information to admit or deny the
25 allegations contained in this paragraph and therefore deny the same.

26 25. Defendants Super Vape'z are without sufficient information to admit or deny the
27 allegations contained in this paragraph and therefore deny the same.
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1 26. Defendants Super Vape'z are without sufficient information to admit or deny the
2 allegations contained in this paragraph and therefore deny the same.

3 27. Admit that Defendant, Marco Hoffman, "had a teleconference on May 17, 2021".

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5 As to the remaining allegations contained in this paragraph, Defendants Super
6 Vape'z are without sufficient information to admit or deny the allegations
7 contained in this paragraph and therefore deny the same.
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9 28. Defendants Super Vape'z are without sufficient information to admit or deny the
10 allegations contained in this paragraph and therefore deny the same.

11 Request for Relief

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13 29. Defendants Super Vape'z are without sufficient information to admit or deny the
14 allegations contained in this paragraph and therefore deny the same.

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17 Defendants Super Vape'z denies any allegations contained in the Prayer/Request
18 for Relief, if any.

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20 **AFFIRMATIVE DEFENSES**

21 **FURTHER ANSWER AND BY WAY OF DEFENSES**, Defendants Super
22 Vape'z plead as follows:


- 23 1. Statute of Limitations.
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25 2. Waiver, estoppel and laches.
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27 3. Failure to Mitigate Damages.
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29 4. Unclean Hands.
5. Failure to meet necessary procedural requirements.

6. Failure to comply with statutory requirements.
7. Improper parties. Defendants, Marco Hoffman and Heydee Hoffman are improper parties.
8. Request for Inspection of records is vague and overly broad.
9. Inspection of business records is not properly pled.
10. Failure to state a claim upon which relief can be granted.
11. Defendants Super Vape'z intend on relying upon other and further defenses as may become available during discovery proceedings in this matter, and hereby reserves the right to amend their Answers and assert such defenses.

Respectfully submitted,

DATED THIS 30TH day of November, 2022.

ACEBEDO & JOHNSON, LLC.


Pierre E. Acebedo, WSBA #30011
Attorney for Super Vape'z, Marco Hoffman and Heydee Hoffman
ACEBEDO & JOHNSON, LLC
112 3rd Street SW, Puyallup, WA 98371
Telephone – (253) 445-4936
Facsimile – (253) 845-0644
pacebedo@gmail.com